

## SPECIAL MINIMUM LOT SIZE INSTRUCTIONS

The requirements for the establishment of special minimum lot size are found in Section 42-194 of the Code of Ordinances, City of Houston. Attached are samples of the **Special Minimum Lot Size (SMLS) Application**, a **Calculation** used by City Staff to determine the SMLS, a **Petition**, an **Evidence of Support**, a **Deed Restriction Statement**, and a **Notification Sign**.

A completed application package shall include the information listed under item **4. SUBMITTAL REQUIREMENTS (on application form)**. This package must be hand-delivered or mailed to 611 Walker, 6th Floor, Planning and Development Department, Neighborhood Planning and Development Services Division, M-F, 8-5pm, except on city holidays. **Once an application is submitted, no additional signatures may be added as evidence of support.**

Planning and Development will review application for completeness. If any information is missing or incorrect, the applicant will be notified and offered an opportunity to submit the requested information. Within ten (10) days of receipt of the completed application package, the Director of the Planning and Development Department will notify in writing the property owners within the proposed SMLS Requirement Area that an application has been received. The applicant shall also provide notice by posting signs within the SMLS boundary area. Any owner of property wishing to protest against the establishment of the SMLS application will have up to thirty (30) days from the date of the notice letter to file a written protest with the Planning and Development Department.

If the application meets all the criteria, there is no written protest, and the supporting petition is signed by owners of 51% or more of the proposed area, the Planning Department Director will approve the application, and forward to City Council for final approval.

The Director will promptly refer those applications that are protested, do not meet all of the relevant criteria, or have insufficient support, to the Planning Commission for a hearing within thirty (30) days of the referral. The Planning Commission shall conduct a public hearing during a regularly scheduled Commission meeting. Written notice shall be given to each property owner within the proposed SMLS Requirement Area of the pending public hearing.

The public may present comments in person or in writing at the public hearing. At the end of the public hearing, the Commission shall consider whether to recommend that the City Council establish the SMLS Requirement Area. If the Commission decides to recommend that the City Council establish the SMLS Requirement Area, the Director shall take the appropriate steps to refer the application to the City Council. Should the Commission deny the SMLS Requirement Area application, the decision of the Commission shall be final.

### TO CONTACT US:

**Location**

City of Houston  
Planning and Development Department  
Development & Neighborhood Services  
611 Walker Street, Sixth Floor

**Mailing Address**

City of Houston  
Planning and Development Department  
Development & Neighborhood Services  
P.O. Box 1562  
Houston, Texas 77251-1562

**Telephone:**

(713) 837-7880

**Fax:**

(713) 837-7923

**Web Site:**

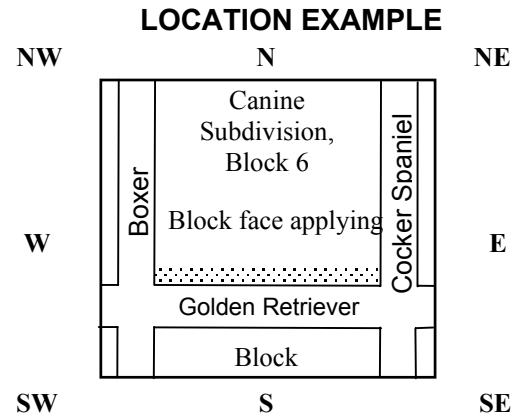
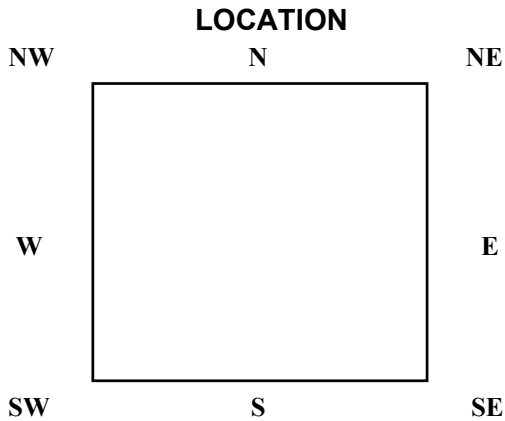
<http://www.houstontx.gov/planning/index.html>

**E-mail:**

[neighborhoodtools@cityofhouston.net](mailto:neighborhoodtools@cityofhouston.net)

## SPECIAL MINIMUM LOT SIZE APPLICATION

To expedite this application, please complete entire application form.



### 1. BOUNDARY:

Block # \_\_\_\_\_  
 Lot #'s \_\_\_\_\_  
 Subdivision Name \_\_\_\_\_  
 Street Name & Side (s) \_\_\_\_\_  
 Lot (s) Address \_\_\_\_\_  
 Odd/Even Addresses \_\_\_\_\_

### BOUNDARY EXAMPLE:

Block 6 \_\_\_\_\_  
 Lots 1-5 \_\_\_\_\_  
 Canine Subdivision \_\_\_\_\_  
 North side of Golden Retriever Ln. \_\_\_\_\_  
 800 Block Golden Retriever Ln. \_\_\_\_\_  
 Odd Addresses \_\_\_\_\_

### 2. CONTACTS:

Applicant _____	Phone # _____
Address _____	E-mail _____ Fax # _____
City _____	State _____ Zip _____
Other _____	Phone # _____
Address _____	E-mail _____ Fax # _____
City _____	State _____ Zip _____

### 3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # _____	Census Tract _____
Lambert # _____	City Council District _____
Key Map # _____	
Super Neighborhood _____	
TIRZ _____	

**SPECIAL MINIMUM LOT SIZE APPLICATION****4. SUBMITTAL REQUIREMENTS:****Please Check**

- Completed application form (page 2) ☐
- Signed petition (s) (page 5) ☐
- Evidence of support from the property owners within the boundary (page 6) ☐
- Signed deed restriction statement (page 9) ☐
- Copy of deed restrictions, if applicable (page 9) ☐
- Map or sketch showing the address and land use, including of all lots within boundary from [www.hcad.org](http://www.hcad.org) ☐
- Data showing the actual size of each lot ☐

## SAMPLE CALCULATION

These calculations are done by Planning and Development Staff and do not need to be performed by the applicant.

### Special Minimum Lot Size

Lots ranked by size	Address	Size	% by Area	Cumulative % by Area
1	1510 Cocker Spaniel	6,500	15.4%	15.4%
2	1502 Cocker Spaniel	6,000	14.3%	29.7%
3	1508 Cocker Spaniel	6,000	14.3%	43.9%
4	1506 Cocker Spaniel	6,000	14.3%	58.2%
5	1504 Cocker Spaniel	<b>5,830</b>	13.8%	<b>72.0%</b>
6	1500 Cocker Spaniel	5,500	13.1%	85.1%
7	1512 Cocker Spaniel	3,270	7.8%	92.9%
8	1514 Cocker Spaniel	3,000	7.1%	100.0%
<b>Total</b>		<b>42,100</b>	<b>100.0%</b>	

The City calculates the special minimum lot size by using the following steps:

- 1) Listing all lot sizes in the application area in descending order;
- 2) Each lot's area (in square feet) is expressed as a percentage of the total area of all lots in the application;
- 3) A cumulative total is kept; and
- 4) The first lot that represents a cumulative total of at least 70 percent (60 percent for applications in city designated historic districts), becomes the proposed special minimum lot size.

## PETITION SAMPLE

(Date)

I, (name of petitioner), owner of property within the proposed boundaries of the Special Minimum Lot Size Requirement Area, specifically, Block (xx), Lot (yy), of (name of subdivision), do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-194. With this petition and other required information, I request to preserve the character of the existing lot sizes for Block (xx), Lot(s) (yy) in (name of subdivision) through the application of and creation of a Special Minimum Lot Size Requirement Area.

(Signature of petitioner)

(Printed name of petitioner)

Petitioner

## EVIDENCE OF SUPPORT SAMPLE

Listed below is evidence by the owners of property within the proposed boundary of the Special Minimum Lot Size Requirement Area, or their authorized agent, who support the request to preserve the character of the existing lot sizes for Blocks xx, Lot(s) xx in (name of subdivision) through the application and creation of a special minimum lot size.

- A special minimum lot size is determined by finding the current lot size that represents a minimum standard for at least 70% of the proposed area (60% in city designated historic districts). The application data identifies lot sizes ranging from \_\_\_\_\_ to \_\_\_\_\_ square feet. The Planning and Development Department will perform the calculations to determine the Special Minimum Lot Size.

The special minimum lot size shall be enacted by City Council through the adoption of an ordinance.

By signing this evidence of support, I hereby represent: (1) that I am the owner or the owner's authorized agent of the property with respect to which I have affixed my signature, and (2) I support the petition of (name of petitioner) to create a Special Minimum Lot Size Requirement Area for Block (xx), Lots (yy) in (name of subdivision).

<b>1) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>2) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>3) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>4) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

**EVIDENCE OF SUPPORT  
SAMPLE (cont.)**

<b>5) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>6) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>7) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>8) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>9) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>10) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

<b>11) Print Name:</b>	<b>Address:</b>	
<b>Signature:</b> X	<b>Date:</b>	<b>Telephone:</b>

**SPECIAL MINIMUM LOT SIZE DEED RESTRICTION  
STATEMENT**

I have personal knowledge of the facts set forth in this deed restriction statement, each of which is true and correct.

Initial (1), (2), or (3) as applicable:

- 1. \_\_\_\_\_ All properties in the proposed Special Minimum Lot Size Area do not have deed restrictions.
- 2. \_\_\_\_\_ All of the properties have deed restrictions; however, the deed restrictions do not address minimum lot size (attach copy of Deed Restrictions).
- 3. \_\_\_\_\_ Some, but not all, of the properties have deed restrictions (attach copy of Deed Restrictions).

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Printed Name

\_\_\_\_\_  
Address



Sample Notification Sign

The **applicant is responsible for obtaining and posting (2) signs** within the boundary of the proposed Special Minimum Lot Size Requirement Area **within ten (10) days of a complete application**. The Planning and Development Department will inform the applicant of a completed application to post signs (see Sample Notification Sign below). The signs (minimum size: 2' x 3') shall be placed within **fifteen feet from each right-of-way** bordering the area. Each sign shall face the R-O-W with print large enough to be legible from the R-O-W. The applicant is responsible for contacting Planning Staff once the signs are in place. The applicant shall use reasonable efforts to maintain the signs to the end of the process.

